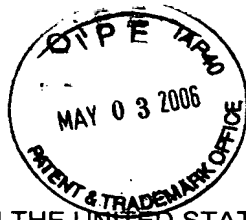


Docket No. 117386-00108



PCT #
LAP/Rec'd PCT/PTO 03 MAY 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Xiaoqing JIANG et al.

Serial No: 10/568,062

Filed: February 13, 2006

For: THERMAL OPTICAL TYPE VARIABLE OPTICAL ATTENUATOR AND AN ARRAY TYPE VARIABLE OPTICAL ATTENUATOR USING SAME

GAU: Unassigned

Confirmation No. 7471

Examiner: Unassigned

**FILING OF DECLARATION WITHOUT RECEIPT OF
NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

Mail Stop Missing Parts

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In accordance with the provisions of 37 CFR 1.53(f), Applicants submit herewith a Declaration in accordance with 37 CFR 1.63 and:

- ☒ Fee Transmittal Form;
- ☒ Small Entity Status is claimed;
- ☒ The required surcharge fee of \$65.00 is enclosed;
- ☐ \$ for a one month extension of time;
- ☒ Executed Declaration/Power of Attorney;
- ☐ \$ surcharge for originally filing a non-English language application;
- ☐ Verified English language translation of the originally filed non-English application; and

Applicants(s) are also submitting the following:


- ☐ Request for Corrected Filing Receipt;
- ☒ An Information Disclosure Statement;
- ☒ Form PTO/SB/08 and 2 references;
- ☐ Priority Application No. filed ;
- ☒ Executed Assignment with Form PTO-1595; and
- ☒ \$40.00 recordation of Assignment fee.

☒ Please charge any additional Fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to deposit Account No. 23-2185. A duplicate copy of this sheet is enclosed.

☒ If these papers are not considered timely filed by the Patent & Trademark Office, then a petition is hereby made under 37 C.F.R. § 1.136, and any additional fees required under 37 C.F.R. § 1.136 for any necessary extension of time may be charged to Deposit Account No. 23-2185. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Blank Rome LLP
600 New Hampshire Avenue, N.W.
Washington, DC 20037
Tel: (202) 772-5800
Fax (202) 572-8398
Customer No.: 27557


Michael D. White
Attorney of Record
Registration No. 32,795

Date: May 3, 2006



PTO/SB/17 (12-04)
Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Acts of 1980 and 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL For FY 2006

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 105.00)

Complete if Known

Application Number	10/568,062
Filing Date	February 13, 2006
First Named Inventor	Xiaoqing JIANG et al.
Examiner Name	Unassigned
Art Unit	Unassigned
Attorney Docket No.	117386-00108

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☒ Deposit Account Deposit Account Number: 23-2185 Deposit Account Name: Blank Rome LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple dependent claims	360	180

Total Claims _____ **Extra Claims** _____ **Fee (\$)** _____ **Fee Paid (\$)** _____ **Multiple Dependent Claims** _____

_____ -20 or HP = _____ x _____ = _____ **Fee (\$)** _____ **Fee Paid (\$)** _____

HP=highest number of total claims paid for, if greater than 20

Indep. Claims _____ **Extra Claims** _____ **Fee (\$)** _____ **Fee Paid (\$)** _____

_____ -3 or HP = _____ x _____ = _____

HP=highest number of independent claims paid for, if greater than 3

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets _____ **Extra Sheets** _____ **Number of each additional 50 or fraction thereof** _____ **Fee (\$)** _____ **Fee Paid (\$)** _____

_____ -100 = _____ / 50 = _____ (round up to a whole number) x _____ = _____

4. OTHER FEE(S)

Non-English Specification,	\$130 fee (no small entity discount)	
Other: Surcharge for filing Late Declaration		\$ 65.00
Assignment Recordation		\$ 40.00

SUBMITTED BY

Signature		Registration No. (Attorney/Agent) 32,795	Telephone 202-772-5800
Name (Print/Type)	Michael D. White		Date May 3, 2006

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, 1-800-PTO-9199 and select option 2.

05/09/2006 ATRM:1 00000161 10568062

01 FC:2617

65.00 0P

117386.00108/35725988v.1